

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12831 of 2021

Arising Out of PS. Case No.-202 Year-2020 Thana- BEUR District- Patna

KAUSHAL KUMAR Son of Satendra Roy Resident of Village - Paithani
Nathupur, P.S. - Beur, Phulwari, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kashyap
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2021 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in a case registered under Sections 302, 307, 120(B)/34 of the Indian Penal Code.

As per allegation in the FIR, six miscreants armed with pistol, entered into the office of the informant and started indiscriminate firing upon the persons, who were sitting there, resulting into bullet injuries to several persons. One of the injured, namely Rajesh Kumar was brought dead to the hospital.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The



petitioner is not the person amongst the miscreants who are said to have committed the alleged occurrence. Only suspicion has been raised against the petitioner to this effect that he was also one of the conspirators. The other co-accused persons with similar allegation have been granted anticipatory bail by a coordinate bench of this court vide orders dated 23-11-2021 passed in Cr. Misc. Nos. 2217 of 2021 and 2242 of 2021.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Patna in connection with Beur P.S. Case No. 202 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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